

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

**RESOLUTION NO. R6T-2006-0016**

**ADOPTION OF THE 2006/2007 PRIORITY LIST  
EMERGENCY, ABANDONED, RECALCITRANT (EAR) ACCOUNT**

**WHEREAS**, the California Regional Water Quality Control Board, Lahontan Region, (Lahontan Water Board) finds:

1. Chapter 6.75 of the California Health and Safety Code authorizes the State Water Resources Control Board (State Water Board) to provide Underground Storage Tank (UST) funds to Regional Water Boards and local UST agencies, for the direct cleanup of petroleum UST sites requiring emergency or prompt corrective action to protect public health and/or the environment. These funds are called the Emergency, Abandoned, Recalcitrant (EAR) Account. Funds distributed from the EAR Account are to be reimbursed by the responsible party.
2. Chapter 6.75 of the California Health and Safety Code also authorizes the State Water Board to establish a UST Cleanup Fund Program (Cleanup Fund) to help responsible parties pay for corrective action and third party compensation claim costs that result from an unauthorized release of petroleum from an underground tank.
3. If EAR Account funds are accessed by a Regional Water Board or other agencies to perform corrective action at an EAR site, the responsible party(ies) become ineligible to receive compensation from the Cleanup Fund. Listing on the EAR Account and/or access of such funds for the purposes of abating an emergency does not result in the responsible party(ies) being ineligible for Cleanup Funds.
4. The State Water Board has requested that all Regional Water Boards adopt a regional priority list of EAR Account projects that will be presented to the State Water Board in May 2006. The State Water Board is required to recover all costs (staff time included) from the responsible parties for cleanups funded from the EAR Account.
5. Attachment A consists of the Lahontan Water Board's proposed 2006/2007 EAR Priority List.

**THEREFORE BE IT RESOLVED:**

That the proposed 2006/2007 EAR Account Priority List be adopted, as shown on Attachment A, which is a part of this Resolution, and that a copy of this Resolution be transmitted to the State Water Board for consideration in the formulation of the final 2006/2007 EAR Account Priority List.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on April 13, 2006.

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HAROLD J. SINGER  
EXECUTIVE OFFICER

Attachment A: Priority List

**ATTACHMENT A**

**California Regional Water Quality Control Board, Lahontan Region**

**2006/2007**

**Emergency Abandoned, Recalcitrant Account Priority List**

**A-1**

<b>Information Item</b>	<b>Swiss Mart Gas Station – Kings Beach</b>	<b>Pat &amp; Ollies – Gateway</b>	
<b>LUSTIS No.</b>	6T0069A	6T0353A	
<b>Address</b>	8797 North Lake Boulevard Kings Beach, CA Placer County, APN 090-192-041	10115 Donner Pass Road Truckee, CA 96160 Nevada Co. APN 19-092-04	
<b>All Potential Responsible Parties (RPs)</b>	<p>Mary Ann Ferguson PO Box 188 Crystal Bay, NV 89402</p> <p>Timberland Properties, LLC Jack Ferguson 21265 Stevens Creek Blvd., #205 PMB 116</p> <p>Sarbjit Singh Kang c/o Swiss Mart Gas Station 913 Emerald Bay road South Lake Tahoe, Ca 96150</p>	<p>Azad Amiri Ameri Oil Company 1505 Monument Street, Suite 101 Concord, CA 94520</p> <p>Mohan Singh 25 Ewing Drive Chico, CA 95973</p> <p>Sohan Singh 25 Ewing Drive Chico, CA 95973</p>	Oliver Crose Enterprises, LLC PO Box 353 Truckee, CA 96160
<b>Final Corrective Action Order or CAO</b>	CAO R6T-2004-0002A1 issued on April 27, 2004	CAO R6T-2002-0004A1	
<b>Name and Address of Oversight Agency</b>	Placer County Division of Environmental Health 565 West Lake Blvd. Tahoe City, CA 96145	CA RWQCB 2501 Lake Tahoe Boulevard South Lake Tahoe, CA 96150	
<b>Name and Phone No. of Regulatory Contact Person</b>	Tamerle Lundquist, (530) 542-5420	Tamerle Lundquist (530) 542-5420	
<b>Description of the Unauthorized Release</b>	Contaminants encountered in soils during trenching activities adjacent to the facility, believed to be from site.	Gasoline contamination from underground storage tank release.	
<b>Why Site is Recalcitrant</b>	RPs have ceased all corrective actions.	RP insolvent	
<b>Why RP can or will not clean up site</b>	Unknown	RP insolvent	
<b>Disputes between Regulatory Agency and RP</b>	Discharger will not communicate with Water Board staff.	RP will soon reach the \$1.5 million Cleanup Fund maximum reimbursement amount.	
<b>Actions Previously Taken to Clean up Release</b>	Groundwater pump and treat system and vapor extraction system now removed from property.	Soil vapor extraction system. Pump and treat system. Free product removal. Conduct groundwater monitoring and reporting.	
<b>Proposed Cleanup and Abatement</b>	Reinstall on-site groundwater remediation equipment; investigate extent of off-site groundwater plume.	Operate current remediation systems. Conduct monitoring and reporting. Free product removal.	
<b>Amount of Annual Funding Requested</b>	\$250,000	\$300,000	
<b>Est. Total Funds Required</b>	\$350,000	\$1,000,000	
<b>Funding Spent to Date</b>	1.1 million from UST Cleanup Fund	None	
<b>Results if Funding Denied</b>	Lake Tahoe is within 600 feet downgradient	Gasoline and MTBE contamination will continue to spread threatening the Truckee River, a municipal water supply.	
<b>Case Type</b>	Health and Safety, Groundwater	Health and Safety, Groundwater	
<b>Site Type</b>	Recalcitrant	Recalcitrant	

Information Item	Halloran Springs		Stop N Save
<b>LUSTIS No.</b>	None		
<b>Address</b>	80505 Halloran Springs Baker, CA 92309		1501 Irwin Road Barstow, CA 92311
<b>All Potential Responsible Parties (RPs)</b>	The Tenderloin, LLC PO Box 635 Williams, AZ 86046	Teresa Murray (New Owner) 27828 Panamint Road Barstow, CA 92311-6325	Wanes Kaprelian 435 W. Wilson Ave, #6 Glendale, CA 91203
<b>Final Corrective Action Order or CAO</b>	EAR #R02-066		EAR #R02-067
<b>Name and Address of Oversight Agency</b>	San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153		San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153
<b>Name and Phone No. of Regulatory Contact Person</b>	Douglas Snyder, (909) 386-8401		Douglas Snyder, (909) 386-8401
<b>Description of the Unauthorized Release</b>	2/27/02-Strong fuel odor and soil contamination in fill boxes. Slight odors under dispensers.		On 7/2/91, a report of leaking dispensers was made. A repair and monitoring certification was conducted. On 11/1/95 monitors were found to be not working. Facility abandoned.
<b>Why Site is Recalcitrant</b>	Facility is abandoned. 2/27/02 inspection revealed observable contamination. Tank still has fuel in it.		Investigations showed slight contamination in the past. Site is abandoned. Septic system has caved in. Repeated attempts by the city of Barstow (redevelopment and police) have gone unanswered. Contact: Steve Smith (760) 255-3462, ext 234.
<b>Why RP can or will not clean up site</b>	The RP has not responded.		Unknown. Repeated Notices of Violation have gone unanswered. A case is currently pending.
<b>Disputes between Regulatory Agency and RP</b>	None		None
<b>Actions Previously Taken to Clean up Release</b>	None		1992-dispensers repaired.
<b>Proposed Cleanup and Abatement</b>	4 Tanks to be removed and preliminary contamination study completed by the end of the summer. (Under EAR contract already approved.) Requesting an additional \$50,000 to complete borings, if indicated or perform simple remediation if indicated.		Tanks to be removed and preliminary contamination study completed (under EAR contract already approved.) Requesting an additional \$50,000 to complete borings, if indicated, or perform simple remediation if indicated.
<b>Amount of Annual Funding Requested</b>	Funding has been provided for removal and initial sampling. An additional \$50,000 is being requested for work described in #10.		Funding has been approved for removal and initial sampling. An additional \$50,000 is being requested for additional work described in #10.
<b>Est. Total Funds Required</b>	\$100,000		\$100,000
<b>Funding Spent to Date</b>	None		None
<b>Results if Funding Denied</b>	Contamination would remain in soil.		Contamination would remain in soils.
<b>Case Type</b>	Health and Safety, Groundwater		Health and Safety, Groundwater

Information Item	Halloran Springs	Stop N Save
Site Type	Recalcitrant	Abandoned

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Information Item	East West Self Serve	Daggett Oil
<b>LUSTIS No.</b>	None	None
<b>Address</b>	24051 Lake Drive Crestline, CA 92325	35487 National Trails Hwy Daggett, CA 92327
<b>All Potential Responsible Parties (RPs)</b>	Wadden, Inc. Celebration The Appling Building, LLC PO Box 1657 Center 1800 S. Robertson Blvd Big Bear City, PO Box 6810 Los Angeles, CA 90035 CA 92314 Crestline, CA 92325-6810	Wendell D. Martin Munir Eissa & Esther Roldan 401 E. 5th Street 503 W. Ave Q10 Los Angeles, CA 90013 Palmdale, CA 93551
<b>Final Corrective Action Order or CAO</b>	EAR #R02-069	EAR #R02-070
<b>Name and Address of Oversight Agency</b>	San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153	San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153
<b>Name and Phone No. of Regulatory Contact Person</b>	Douglas Snyder, (909) 386-8401	Douglas Snyder, (909) 386-8401
<b>Description of the Unauthorized Release</b>	3/25/92; Diesel pumps leaking profusely; repaired 1996-Site abandoned; bankruptcy 2/26/02; Contaminated soil observed in fills and dispenser areas.	Contamination in fills and under dispensers. Strong odors. (2/27/02)
<b>Why Site is Recalcitrant</b>	Owners are bankrupt. Case has been submitted to District Attorney for review. Site is abandoned and in a high groundwater area.	No monitoring. Abandonment with observable contamination.
<b>Why RP can or will not clean up site</b>	Bankruptcy.	RP has not responded. Obtained facility through grant deed from Eissa and Roldan (last RPs).
<b>Disputes between Regulatory Agency and RP</b>	None	None
<b>Actions Previously Taken to Clean up Release</b>	Abatement in 1992-pumps leaking profusely.	None
<b>Proposed Cleanup and Abatement</b>	Removal of 3 single-walled fiberglass tanks and initial sampling. Request funding to complete borings and additional sampling if required.	Remove 3 single-walled steel tanks and perform preliminary sampling under the previously approved EAR funding. Requesting additional funding to complete borings if indicated or perform simple remediation if indicated.
<b>Amount of Annual Funding Requested</b>	\$100,000 has been approved and is being requested.	Funding has been approved for the removal of tanks and initial sampling. An additional \$50,000 is being requested for the work described above.
<b>Est. Total Funds Required</b>	\$100,000	\$100,000
<b>Funding Spent to Date</b>	None	None

Information Item	East West Self Serve	Daggett Oil
<b>Results if Funding Denied</b>	Contamination would remain at site.	Contamination would remain at site.
<b>Case Type</b>	Health and Safety, Groundwater	Health and Safety, Groundwater
<b>Site Type</b>	Abandoned	Abandoned

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Information Item	Mohawk Mini Mart	Abandoned Tank/McGinnis	
<b>LUSTIS No.</b>	None	None	
<b>Address</b>	19324 National Trails Hwy Oro Grande, CA 92368	37000 Yermo Road Yermo, CA 92398	
<b>All Potential Responsible Parties (RPs)</b>	Bijan Agbelnazari (deceased) 9602 Woodman Ave. Arleta, CA 91331  Aghoal, Brian 9602 Woodman Ave Arleta, CA 91331	Orlando Chavez c/o General Delivery 3700 Yermo Road Yermo, CA 92398	Stanley Shaw (New Owner) 306 2 <sup>nd</sup> Street Washburn, Iowa 50706-1024
<b>Final Corrective Action Order or CAO</b>	EAR #R02-072	EAR #R02-073	
<b>Name and Address of Oversight Agency</b>	San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153	San Bernardino County Fire Department Hazardous Materials Division 620 South E Street San Bernardino, CA 92415-0153	
<b>Name and Phone No. of Regulatory Contact Person</b>	Douglas Snyder, (909) 386-8401	Douglas Snyder, (909) 386-8401	
<b>Description of the Unauthorized Release</b>	All fills and turbine access points smelled of petroleum and contain discolored soil. Pavement is caving in; one tank's integrity could be compromised.	Tanks were discovered in 1989. Tanks have never been operational. Don't know if unauthorized release. 2/27/02 Inspection; "strong odor of gasoline around fill pipes"	
<b>Why Site is Recalcitrant</b>	Strong possibility of contamination. Anonymous tip that there are 2 10,000 gallon tanks behind the tin corrugated metal shed.	Owners stated they do not have the money.	
<b>Why RP can or will not clean up site</b>	RP does not respond.	No money. Property is continuously moved via grant deed from one non-operator to another.	
<b>Disputes between Regulatory Agency and RP</b>	None	None	
<b>Actions Previously Taken to Clean up Release</b>	None	None	
<b>Proposed Cleanup and Abatement</b>	\$50,000 has been approved through the EAR Account to fund removal of the tanks and initial soil testing. Requesting additional funding for borings, if indicated, or simple remediation, if indicated.	Funding has been approved for the removal of tanks and initial soil testing. Additional funds are being requested for borings, if indicated, or simple remediation if indicated.	
<b>Amount of Annual Funding Requested</b>	Additional funding of \$50,000 is being requested for the work described in #10.	Funding for the last year was for \$50,000. Requesting an additional \$50,000 for the work described in #10.	

<b>Information Item</b>	<b>Mohawk Mini Mart</b>	<b>Abandoned Tank/McGinnis</b>
<b>Est. Total Funds Required</b>	\$100,000	\$100,000
<b>Funding Spent to Date</b>	None	None
<b>Results if Funding Denied</b>	Contamination would remain in soil.	Contamination would remain at site.
<b>Case Type</b>	Health and Safety, Groundwater	Health and Safety, Groundwater
<b>Site Type</b>	Abandoned	Abandoned

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<b>Information Item</b>	<b>Little Oil Co.</b>
<b>LUSTIS No.</b>	None
<b>Address</b>	44125 N. Yucca Avenue Lancaster, CA 93535 Los Angeles County APN 3132-017-001
<b>All Potential Responsible Parties (RPs)</b>	Newall Little 44503 Foxtron Avenue Lancaster, CA 93535
<b>Final Corrective Action Order or CAO</b>	EAR# R03-089
<b>Name and Address of Oversight Agency</b>	Los Angeles County Department of Public Works (DPW) 900 South Fremont Avenue Alhambra, CA 91803
<b>Name and Phone No. of Regulatory Contact Person</b>	Tim Smith (626)458-3510
<b>Description of the Unauthorized Release</b>	Petroleum contamination (based on visual inspection by County inspector during piping upgrade on 5/1/91).
<b>Why Site is Recalcitrant</b>	RP financial insolvency
<b>Why RP can or will not clean up site</b>	RP refusal
<b>Disputes between Regulatory Agency and RP</b>	RP has not submitted piping upgrade closure report (1991), or requested site assessment, site abandoned since 9/95.
<b>Actions Previously Taken to Clean up Release</b>	No clean up to date has been performed.
<b>Proposed Cleanup and Abatement</b>	Proposal: Prepare plan to remove abandoned USTs, piping, and dispensers; permit the removal of the USTs with all applicable agencies; remove/dispose the USTs, piping and dispensers under closure guidelines directed by DPW (soil sampling, etc); and prepare/submit closure report.
<b>Amount of Annual Funding Requested</b>	\$75,000
<b>Est. Total Funds Required</b>	\$75,000 (unless site assessment is required)
<b>Funding Spent to Date</b>	N/A

<b>Information Item</b>	<b>Little Oil Co.</b>
<b>Results if Funding Denied</b>	Site and USTs will remain abandoned with expected soil contamination.
<b>Case Type</b>	Health and Safety, Soil/Potential Groundwater
<b>Site Type</b>	Recalcitrant/Abandoned